

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**CHRISTOPHER BAUMAN, as  
Administrator for the Estate of Nicholas  
Papazissis,**

**Plaintiff,**

**-against-**

**CITY OF NEW YORK and JOAN  
HIDALGO,**

**Defendants.**

**OPINION & ORDER**

**15-cv-5695 (NG) (LB)**

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**GERSHON, United States District Judge:**

In a *sua sponte* Report and Recommendation (“R&R”) dated November 22, 2022, Magistrate Judge Roanne L. Mann, to whom this case was previously assigned, recommended dismissal of this action with prejudice for plaintiff’s failure to prosecute. She also recommended that plaintiff’s attorney, Peter Hanschke, be referred to the Chief Judge and the Committee on Grievances for possible disciplinary proceedings.

Subsequently, counsel failed to comply with Judge Mann’s order to file proof of service of the R&R on plaintiff by November 28, 2022, as well as my Order dated December 27, 2022, directing him to file proof of service of the R&R on plaintiff by January 6, 2023.

No objections having been filed, the court has reviewed the R&R for plain error, and finds none. Judge Mann’s R&R is adopted in its entirety. Pursuant to Local Rule 1.5(f), the Court is referring this case to Chief Judge Margo K. Brodie for referral to the Committee on Grievances for possible disciplinary proceedings. The action is dismissed with prejudice for

failure to prosecute under Rule 41(b) of the Federal Rules of Civil Procedure. The Clerk of Court is directed to close this case.

**SO ORDERED.**

/S/  
**NINA GERSHON**  
**United States District Judge**

January 26, 2023  
Brooklyn, New York